

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE No. 22-CR-20114-KMW

UNITED STATES OF AMERICA

vs.

CARLOS RAMON POLIT FAGGIONI

POLIT'S UNOPPOSED MOTION TO RESCHEDULE SENTENCING

Defendant Carlos Polit respectfully requests that the Court reschedule the July 18, 2024 sentencing to a date in early September 2024 as the Court's calendar permits. The government and U.S. Probation do not oppose, as described in more detail below. In support, Polit states as follows:

1. The Court held a jury trial in this case starting on April 8, 2024. On April 23, 2024, the jury returned a guilty verdict. ECF#182.
2. On April 24, 2024, the Court issued an order scheduling Polit's sentencing for July 18, 2024. ECF#180.
3. Polit respectfully requests that the Court reschedule the sentencing due to counsel's conflicting personal and professional obligations as follows:
 - (i) From July 13 to July 21, 2024, undersigned counsel Jackie Perczek plans to travel overseas for a family vacation with her husband, her son, and members of Perczek's extended family.

(ii) From July 25 to July 29, 2024, Perczek plans to travel to Massachusetts, where her son will be attending a high school summer program.

(iii) Shortly thereafter, Perczek is special-set to start trial (with Roy Black) on Friday, August 9, 2024, in *Mendelsohn v. Ecclestone*, No. 50-2017-CA-010386 (Curley, J.), pending in Circuit Court in West Palm Beach, Florida. In preparation for the start of that trial, Perczek will be moving to accommodations in West Palm Beach starting on August 6, 2024 and will remain in WPB for the duration of the trial, which is expected to last two weeks, perhaps three.¹

4. For these reasons, Polit respectfully requests that the Court reschedule his sentencing to a date no sooner than the first week of September 2024. Counsel anticipates that the *Mendelsohn* trial will have concluded by then.

5. Counsel communicated with the government, who indicated that they do not oppose this motion as follows: “Based on defense counsel’s scheduling conflicts and the fact that the defendant is in custody, the government does not oppose a continuance of sentencing to the first available date in early September. The government is prepared to go forward with sentencing at any time and will oppose any additional continuance.” The U.S. Probation Officer has indicated that she is available for a sentencing hearing during the first week of September 2024.

¹ As well, undersigned counsel Jeanelle Gomez is scheduled for trial during the two-week period beginning on July 1, 2024, in *Wolfgang Puck, et. al. v. Sydney Silverman, et. al.*, No. 22-CV-24078-KMM.

For these reasons, Polit respectfully requests that the Court reschedule his sentencing to the first week of September 2024 or thereafter as the Court's calendar permits.

Respectfully submitted,

BLACK SREBNICK

201 South Biscayne Boulevard, Suite 1300
Miami, Florida 33131
Tel. (305) 371-6421

/s/ Howard Srebnick

HOWARD SREBNICK, ESQ.

Florida Bar No. 919063

E-mail: HSrebnick@RoyBlack.com

/s/ Jackie Perczek

JACKIE PERCZEK, ESQ.

Florida Bar No. 0042201

JPerczek@RoyBlack.com

COFFEY BURLINGTON, P.L.

Permanent Counsel for Carlos Polit

2601 South Bayshore Drive, Penthouse
Miami, Florida 33133
Tel: 305-858-2900

/s/ Fernando Tamayo

Fernando Tamayo, Fla. Bar No. 28530

ftamayo@coffeyburlington.com

lmaltz@coffeyburlington.com

service@coffeyburlington.com